

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A State of California Water Agency



Brief History Overview

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I. **Formation of the Agency:**

The Fox Canyon Groundwater Management Agency (FCGMA) manages and protects both confined and unconfined aquifers within several groundwater basins underlying the southern portion of Ventura County. The FCGMA is an independent special district, separate from the County of Ventura or any city government. It was created by the California Legislature on September 13, 1982, and became effective January 1, 1983, charged with overseeing Ventura County's vital groundwater resources. All lands lying above the Fox Canyon aquifer account for more than half of the water needs for 700,000 residents in the cities of Ventura, Oxnard, Port Hueneme, Camarillo and Moorpark, plus the unincorporated communities of Saticoy, El Rio, Somis, Moorpark Home Acres, Nyeland Acres, Point Mugu and Montalvo.

The FCGMA was created by the State of California legislature in response to overuse of local groundwater. This condition was first recognized in the 1950s by the observance of seawater intrusion and declining groundwater levels in wells, coupled with increasingly poor quality of water drawn from wells in the southern part of the Oxnard Plain. Prior to the creation of the FCGMA, the California State Water Resources Control Board (SWRCB), as a condition to a State grant for the Seawater Intrusion Abatement Project, directed the United Water Conservation District (UWCD) and Ventura County as co-grantees, to develop a Groundwater Management Plan for the purpose of controlling extractions and balancing water supply and demand in both the Upper Aquifer System (UAS) and Lower Aquifer System (LAS).

The FCGMA's statutory authority is found in its enabling legislation, FCGMA Act, Assembly Bill (AB) No. 2995 passed on September 13, 1982 (now contained in the State Water Code Appendix, Chapter 121). The Legislature expressly found and declared that the preservation of the groundwater resources within the territory of the FCGMA for agricultural and municipal and industrial uses is in the public interest and the creation of the FCGMA pursuant to AB 2995 is for the common benefit of water users (Imbrecht, 1982). As directed by Article 2, § 202 of the enabling legislation, the boundary of the FCGMA was established by Resolution of the Ventura County Board of Supervisors on December 21, 1982, and became effective by recordation in the Ventura County Office of the Recorder (VCOR) on January 1, 1983. The boundary was revised in 1991 to reflect updated knowledge of the extent of the aquifers.

The enabling legislation charged the Agency with developing, adopting and implementing “a plan to control extractions from the Oxnard and Mugu aquifers with the objective of balancing water supply and demand in the Oxnard Plain of Ventura County by the year 2000” (AB 2995, 1982, Article 6). Senate Bill (SB) No. 747 (1991), declared the Agency should “bring the groundwater basins underlying the territory to safe yield by the year 2010” (§ 1102). Numerous reports by the UWCD and Agency staff have shown that both the Upper Aquifer System (UAS) and Lower Aquifer System (LAS) in the Oxnard Plain and Pleasant Valley basins suffer from long-term overdraft and seawater intrusion. Coupled with groundwater modeling studies performed by UWCD, Agency staff and UWCD have identified that the allocation and use of the groundwater within Agency exceeds a level the resource can support. Other localized conditions such as deterioration of water quality and locally high water levels in the South and East Las Posas basins demonstrate the variety of diverse groundwater management challenges facing the Agency.

In response to these challenges, the Agency, with its partners UWCD, CMWD and the stakeholders, developed the 2007 Update to the FCGMA Groundwater Management Plan (GMP). The GMP identifies a series of short-term and long-term groundwater management projects and strategies designed to address the current imbalance between demand and availability of the groundwater resource.

In addition to meeting the groundwater resources needs of the Agency, the GMP also complies with the statutory requirements of the overarching California Water Code § 10753.7 for groundwater management. The California Department of Water Resources (DWR) requires that groundwater management plans meet the criteria established in SB 1938 to receive state funding for projects. In accordance with the Budget Act (1999), the DWR has also established recommended elements for groundwater management plans. The first recommended element is the establishment of advisory groups to assist in the development and implementation of the GMP. The FCGMA board of directors received and filed the staff’s informational presentation on the creation of advisory groups for implementation of the FCGMA GMP unanimously during the May 23, 2007 meeting. During the June 27, 2007 meeting, the FCGMA board of directors unanimously adopted the staff’s recommendations regarding approval of the proposed Groundwater Management Strategies (GMS) contained in the Plan. The 2007 GMP can be downloaded from the [Plans](#) page of the Agency’s website.

II. Mission/Operating Principles:

To better define the core goals and objectives of the Agency, the board of directors adopted a formal mission statement on September 27, 2006 as follows:

“The Fox Canyon Groundwater Management Agency (Agency), established by the State Legislature in 1982, is charged with the preservation and management of groundwater resources within the areas or lands overlying the Fox Canyon aquifer for the common benefit of the public and all agricultural, domestic and municipal and industrial users.”

Annually, the FCGMA prepares a work plan and operating budget to guide, direct and fund the Agency's work. Quarterly work plan and budget status reports are prepared and submitted to the board of directors. Finally, board meeting agenda packets, which include staff reports, ordinances, resolutions and/or presentations, are prepared monthly as required. Additionally, the FCGMA prepares a Biennial Audit Report every other year, and updates to the Groundwater Management Plan (GMP) (at approximate five-year intervals). Although all of these documents can be found as posted on the FCGMA website, paper copies are available at the FCGMA office. An Annual Report is also prepared, documenting the past year's accomplishments, extraction data and site activities. Annual Reports can be downloaded from the [Reports](#) page of the Agency's website.

All elected or appointed FCGMA board members, alternate members, officers and employees are expected to conduct themselves in an appropriate, ethical and responsible manner at all times. The board has officially adopted a Conflict of Interest Code as listed in the California Code of Regulations, Title 2, § 18730 and any amendments by the Fair Political Practices Commission.

Board members, alternates and officers of the FCGMA are subject to the annual reporting requirements of this code, and must report income, investments and gifts valued at more than \$25 each year using the designated state forms (Form 700).

III. Stakeholder Involvement:

Many people including farmers, businesspersons, attorneys, water company employees and elected officials volunteer their time and energy to resolve the critical issues and policies that affect water supply within the FCGMA.

Well owners and operators play a key role in that they are responsible for "self-reporting" groundwater extractions to the FCGMA accurately and in a timely manner (e.g. twice per year, once in January and once in July/August).

Participants with a large role include UWCD, the Calleguas Municipal Water District (CMWD) and the County of Ventura. All three agencies exercise shared responsibility with the FCGMA for the stewardship of the groundwater basins within the FCGMA territory.

IV. Board of Directors and Meetings:

The FCGMA is governed by a five-member board of directors and staffed by technical and administrative personnel provided by the Ventura County Watershed Protection District, administratively housed in the Public Works Agency, County of Ventura. As required by its enabling legislation (AB 2995), the board of directors for the FCGMA is composed of one member appointed from each of the following four groups:

- (1) The Ventura County Board of Supervisors;
- (2) The United Water Conservation District (UWCD) Board of Directors;

- (3) The city councils of the five cities (Ventura, Oxnard, Camarillo, Port Hueneme, and Moorpark) that partially or totally overlie the FCGMA.
- (4) The seven existing mutual water companies and special districts within the FCGMA. They include the governing boards of the following mutual water companies and special districts not governed by the County Board of Supervisors, which are engaged in water activities and whose territory at least in part overlies the territory of the Agency: (1) Alta Mutual Water Company, (2) Pleasant Valley County Water District, (3) Berylwood Mutual Water Company, (4) Calleguas Municipal Water District, (5) Camrosa Water District, (6) Zone Mutual Water Company and (7) Del Norte Mutual Water Company.
- (5) These four members select the fifth board member from a list of at least five candidates jointly nominated by the Ventura County Farm Bureau (VCFB) and Ventura County Agricultural Association (VCAA). In order to qualify for nomination, this fifth member must reside in, and be “actively and primarily engaged in” agriculture within the territory of the Agency. As defined in the State Water Code Appendix, Chapter 121-401 of the FCGMA Act, the requirement to be “actively and primarily engaged in agriculture” means this member must derive at least 75% of their income from agriculture. These nominees need not be a member of either organization.

Five alternate board members are selected according to the same criteria and serve in the absence of the primary board members. All FCGMA board members serve for a two-year term, unless reappointed. There are no limits to the number of terms a member can serve and consecutive terms are allowed. Former members may be re-elected at any time. If a seat is vacated for any reason, the alternate may be promoted by the remaining board members to serve out the rest of the term, or member organizations may appoint another qualified individual to fill the vacated position. As long as a minimum of at least three members is maintained, any vacant seat may also remain open until the next official election.

In 2007, the board offset the terms of the city councils and the agricultural representatives from the remaining three representatives by one year to ensure continuity of Agency operations and to prevent a complete turnover of all FCGMA Directors at the same time. City and farm representatives are now up for re-election in even numbered years, with UWCD, County and Water District representatives up for re-election in odd numbered years.

All board members and alternates serve on a volunteer basis, and no salaried compensation is provided for participation or attendance at FCGMA meetings or events. Board members and officers may attend seminars, conferences or training sessions at Agency expense, and in so doing, will be reimbursed for all reasonable expenses incurred in accordance with applicable sections of the County of Ventura Administrative Policy Manual, Financial Management Chapter 7-C (reimbursement of employees’ business expenses). The FCGMA relies upon this in lieu of officially adopting a separate policy document.

As expressly stated in AB 2995, the goals and objectives of the FCGMA include the planning, management, preservation and regulation of the use of groundwater for the common benefit of water users within the FCGMA territory. These goals are primarily achieved through the development, implementation and enforcement of groundwater management plans and policies that are designed to protect the quality and quantity of groundwater within the FCGMA’s

territory. In accordance with the enabling legislation, FCGMA has not involved itself in activities normally undertaken by member agencies, including construction, operation and maintenance of capital facilities. Many of these facilities such as dams, spreading grounds, pipelines, flood control structures and water distribution facilities are operated by UWCD and other member agencies both within and outside the FCGMA boundary.

The FCGMA board of directors, Agency staff, member agencies and individual stakeholders all share stewardship for the successful operation of the Agency and for the groundwater it manages. These roles and responsibilities are summarized below:

- The board of directors has the responsibility for establishing and revising policy through the adoption of laws, ordinances and resolutions that support the FCGMA's mission statement, goals and objectives. All Agency rules must also be applicable with state laws. The board is responsible for providing the means and resources necessary for the Executive Officer and staff to administer the FCGMA's policies.
- Agency staff are responsible for administering the policies adopted by the board. Although the FCGMA staff does not make policy decisions, it provides technical studies, policy analysis and logistical support to the board of directors to assist them in adopting, monitoring and evaluating meaningful and effective policies. The FCGMA Executive Officer is responsible for directing the staff, implementing policies adopted by the board and carrying out Board directives.

The FCGMA conducts its public meetings in accordance with the requirements of the Ralph M. Brown Act (Government Code § 54950 et. seq.). Public meetings are the means by which the FCGMA board hears, discusses and deliberates on items that are within the jurisdiction of the Agency. Monthly board meetings are usually held in the County Board of Supervisors' Hearing Room in the Administration Building; Main Plaza Level of the Ventura County Government Center located at 800 South Victoria Avenue, Ventura, California, and are scheduled for the fourth Wednesday of every month except August, November and December.

All FCGMA meetings are open to the public except for pre-announced closed-session board meetings to discuss potential or pending personnel or legal matters as allowed by law. Meetings required to be held where the possibility of a change to the provisions of the FCGMA Ordinance Code could occur shall be published at least once in a newspaper of general circulation within the Agency boundaries at least 10 calendar days before the meeting or hearing. The board may give additional notice of the required hearing by any other means deemed appropriate. Note: board meeting agendas and staff reports are available for download from the Agency website on Thursday prior to the board meeting.

Only items listed in the published board meeting agenda may be acted on. A minimum of three board members or alternates must be in attendance at a board meeting to satisfy a quorum. For adoption of agreements, contracts, resolutions and ordinances, a roll call vote will be requested by the chair, and each member will be asked to cast a verbal vote when the clerk of the board reads their name aloud. A minimum of three board members must vote with the same result to carry or reject an item listed in the official agenda. If only three board members are

present and one member votes to abstain due to a potential conflict of interest, the quorum is not completed and the matter cannot be decided at that time. At minimum, three of the five directors must be present for a quorum, and three like votes are necessary to decide an issue or topic in order to render a final majority decision. If the member who wishes to abstain believes that the issue is a conflict of interest or might cause an impropriety, that member may opt to have the alternate occupy his/her seat before the agenda item is discussed. Since the alternate heard the testimony as the seated member, and the board member was merely acting as an observer in the audience, the alternate may cast a vote in the normal manner allowed by state law.

Officially adopted ordinances, resolutions or contracts are signed by the chair. Certain special resolutions may be signed by all the board members, and the vice chair signs documents when the chair is absent or when two signatures are required.

All board meetings are recorded to provide a record of transactions, findings and determinations. Video recordings of board meetings dating back to January 2000 are available to view 24/7 on the Agency website. Recordings are only required to be kept for three years based on Agency counsel's opinion; however, the FCGMA has archived audio, audiovisual or paper copies detailing the proceedings of almost every meeting. Paper copies of meeting minutes are kept indefinitely in the FCGMA files as official historical reference. An original of all official documents — from monthly meeting agendas, to ordinances, resolutions and contracts — is kept on file with the FCGMA clerk of the board. Consistent with the FCGMA's business practice needs, the FCGMA is guided by the County's records retention policy and schedule.

V. Sources of Water:

As indicated, there are currently five cities and several mutual water companies who are purveying water either partially or totally within the territory of the FCGMA. UWCD performs both resource restoration/recharge and groundwater basin management activities in the Santa Clara River Valley and Oxnard Plain. UWCD obtains water from surface stream diversion/storage facilities and from groundwater extraction wells, so its activities include operation of well fields, spreading basins (percolation ponds), water treatment facilities, water transmission pipelines and wholesale and retail water delivery of both potable and non-potable quality. UWCD (and its precursor organization), has served much of the County's water needs since 1927.

Calleguas Municipal Water District (CMWD) is also a large wholesale water provider to the southern portion of Ventura County and serves customers in the cities of Oxnard, Port Hueneme, Camarillo, Thousand Oaks, Moorpark, Simi Valley and the unincorporated areas of Oak Park, Santa Rosa Valley, Bell Canyon, Lake Sherwood, Somis, Camarillo Estates and Camarillo Heights. Calleguas obtains and distributes state water imported into Ventura County, and operates both surface water and subsurface water storage facilities.

Imported water comes to Ventura County by one of two physical means. The Metropolitan Water District of Southern California, a contractor providing Sacramento-San Joaquin Delta derived supplies from the State Water Project operated by the State Department of Water Resources

(DWR) has a direct pipeline connection to the CMWD that serves eastern and southern-central Ventura County. The UWCD has the ability to call for State Project water releases from the DWR owned and operated Lake Pyramid. Such releases flow down Piru Creek and into UWCD owned and operated Lake Piru for later use and represents only one-quarter of the 20,000 AFY annual State Contract allotment held by the County of Ventura and jointly administered by the City of Ventura, the Casitas Municipal Water District and UWCD.

VI. Agency Chronology:

1880s — First water wells are drilled in Ventura County using machinery instead of hand labor.

1900 to 1950 — Development of lands for farming and urban uses requires an increasing need for more groundwater.

1950s — Some wells along the Pacific coast in the area of Port Hueneme and Oxnard begin to show sharply elevated chloride levels, indicating seawater intrusion caused by overdraft of drinking water aquifers.

1982 — State Senate Bill No. 2995 is approved creating the Fox Canyon Groundwater Management Agency (FCGMA).

1983 — FCGMA begins operations January 1, with the County of Ventura contracting to provide staffing and related services for the new Agency.

1983 — Ordinance No. 1 is adopted requiring all wells within the Agency to register and begin reporting groundwater extractions. A fee of \$0.50 is levied for each acre-foot (AF) of water (325,851 gallons= 1 AF) pumped from local groundwater aquifers. These management fees are the sole source of income for the Agency.

1984-1985 — With assistance and financing from the Ventura County Flood Control District, UWCD, the City of Oxnard and the City of Ventura, the United States Geological Survey (USGS) is enlisted to design and install a series of clustered monitor wells along the Oxnard Plain coastline. These nested piezometer wells will provide water level and water quality data specific to each individual aquifer layer or zone, and allow evaluation of the seawater intrusion problem.

1986 — UWCD, in cooperation with the FCGMA, completes the Pumping Trough Pipeline (PTP) to provide supplemental surface water to the over-drafted southeast Oxnard Plain, thus relieving stress on the over-pumped UAS. Some 47 UAS wells were planned for shutdown, to be replaced with surface water from the Santa Clara River and/or groundwater from five LAS wells surrounding the so called "Pumping Trough" area.

1987 — A Groundwater Management Plan is developed and finalized after several specific task reports are completed, thus allowing consistent management of all groundwater aquifers within the FCGMA boundary.

1987 — Ordinance No. 3 is adopted requiring flowmeters on all wells that extract more than 50 AF of groundwater per year. This ordinance was later changed to drop the 50 AF limit, and thus to require meters on all wells except for domestic-only use wells.

1987 — Ordinance No. 4, called the "Las Posas Basin Groundwater Extraction Prohibition Ordinance," is implemented to protect the aquifer outcrop areas and to require permits for any wells planned in the Las Posas Valley. It also prevents uncontrolled expansion of groundwater extractions and protects groundwater quality in the east, west and south Las Posas basins.

1989 — The FCGMA enters into a joint contract with the Calleguas Municipal Water District (CMWD) and the UWCD to fund a Regional Aquifer System Analysis (RASA Study) performed by the USGS. A five to six years effort with field work, computer modeling and analysis, to better understand the subsurface hydrology.

1990 — Ordinance No. 5 establishes a system of scheduled extraction reductions, allowed for the use of historical, baseline and agricultural efficiency allocations and established a credit system to encourage cutbacks in pumping, or a penalty system for over pumping beyond the established annual allocation. This ordinance has been modified over time to improve or define water management plans and methods.

1991 — UWCD completes the Vern Freeman Diversion on the Santa Clara River to allow surface water withdrawals. This structure included the only then operational fish ladder in Ventura County.

1992 — The FCGMA contracts with Peek Electronics, Inc. to install and maintain seven CIMIS-type weather stations throughout the Agency to help farmers plan, manage and improve irrigation.

1996 — The FCGMA joins with UWCD and the CMWD to jointly fund a computer modeling study proposed by the USGS using data gathered from the RASA study in 1989. The RASA study evaluated the interactions and geohydrology of the surface water and groundwater basins within the southern half of Ventura County. Findings from the modeling runs were used for future long-range planning, and to help develop a new FCGMA Management Plan.

1997 — The FCGMA is awarded an EPA Wellhead Protection Grant to initiate a systematic destruction of abandoned wells to help improve groundwater quality within the broad Oxnard Plain area of Ventura County.

1998 — The FCGMA hires a geotechnical consulting firm to examine water uses in greenhouse and cut-flower operations. Data gained from this study helps verify and/or establish future water management plans relating to intense or conjunctive land use practices and water recycling methods.

1998 — A consultant jointly hired by the FCGMA and CMWD performs a computer modeling study on chloride effects within the Calleguas Creek drainage basin as part of a larger look at water quality within the Agency.

2000 — The FCGMA finishes the Federal 319(h) Clean Water Act Wellhead Protection Grant on time and under budget by completing destruction of 44 old abandoned wells within the Oxnard Plain Pressure Basin.

2001 — A new round of abandoned well destructions begins using donated funds from other contributors, and supplemental funds from the FCGMA. Prior experience gained under the Federal Grant program is incorporated into this recent water quality improvement.

2002 — Previous FCGMA ordinances are combined into a single Ordinance No. 8.0 along with needed updates and modifications to various management strategies.

2003 — The FCGMA Board of Directors initiates the annual John K. Flynn Award to honor individuals or entities that have contributed to good groundwater stewardship and/or dedication to preserving water resources. The FCGMA computer database is re-designed for quicker access to information, better handling of well user data and more accurate cost accounting.

2004 — All County Water Resources Division personnel along with the FCGMA staff are transferred from the former Water Resources and Development Department to the newly reorganized County of Ventura Watershed Protection District (formerly the Flood Control District). The new management umbrella opens up lots of possibilities and improvements in accounting, funding and office resources to both the Groundwater Division staff and FCGMA staff.

2005 — First annual report is produced. The purpose of the annual report is to present a synopsis of the Agency's technical, administrative and financial groundwater management activities.

2006 — Resolution No. 2006-01 is adopted relating to the requirement for accuracy testing of flowmeters pursuant to Chapter 3.0 of Ordinance No. 8.1.

2007 — Resolution No. 2007-01 is adopted providing an update to the FCGMA Groundwater Management Plan.

2008 — Resolution No. 2008-03 establishes an additional 5% reduction in historical extraction allocations within the boundaries of the Agency (effective January 1, 2009), and authorizes the establishment of an alternative water supply project certification project in lieu thereof.

2009 — Emergency Ordinance D is adopted, imposing a temporary moratorium on construction of new wells and provides an upper limitation to efficiency extraction allocation within the west, east and south Las Posas groundwater basins pending development of a basin- specific management plan.

2010 — Resolution No. 2010-06 is adopted creating the Groundwater Supply Enhancement Assistance Program (GSEAP) criteria, and Resolution No. 2010-07 is adopted establishing tiered groundwater extraction surcharge rates.

2011 — Ordinance Nos. 8.4, 8.5 and 8.6 are adopted. The amendments relate to the extinguishment of conservation credits for destroyed, inactive or abandoned wells with no active operator and the establishment and protection of the Las Posas basin management area. The fourth extension to Emergency Ordinance D is adopted.

2012 — The first BMO Report Card was presented to the Board.

2013 — Ordinance No. 8.7 is adopted relating to interest and penalties.

2014 – Emergency Ordinance E is adopted reducing extractions by 20% over an eight-month period from groundwater extraction facilities, suspending use of credits and prohibiting construction of any groundwater extraction facility and/or the issuance of any permit therefor.

2015 — The Board elects via Resolution No. 2015-01 to be the Groundwater Sustainability Agency for Arroyo Santa Rosa Valley, west, south, and east Las Posas Valley, Oxnard Forebay, Oxnard Plain and Pleasant Valley basins within the boundaries of the FCGMA. Ordinance No. 8.8 is adopted and can be downloaded from the [Ordinances & Legislation](#) page of the Agency's website.

Sources

(1) *Assembly Bill No. 2995 (1982)*

(2) *Senate Bill No. 747 (1991)*

(3) *2007 Groundwater Management Plan*

(4) *FCGMA Administrative Policies and Business Practices Manual (April 2011)*

(5) Agency Chronology: "About FCGMA" (<http://fcgma.org/about-fcgma>) (1880 – 2005)